

REMARKS

Claims 1 through 35 are currently pending in the application and subject to an Election of Species Requirement.

Applicants previously elected the species C₁₆-C₂₄ fatty acid esters as the hydrophobic agent; poly(lactide-co-glycolic) acid as the polymer; proteins as the active agent; and alkyl esters of benzoic acid as the solvent. The Examiner has identified the following additional species:

Proteins

- (a) Human Growth Hormone
- (b) Alpha-Interferon
- (c) Beta-Interferon
- (d) Gamma-Interferon
- (e) Erythropoietin
- (f) Glucagon
- (g) Calcitonin
- (h) Interleukin-1
- (i) Interleukin-2
- (j) Factor VIII
- (k) Factor IX
- (l) Luteinizing Hormone
- (m) Relxin
- (n) Follicle Stimulating Hormone
- (o) Atrial Natriuretic Factor
- (p) Filgrastim

Alkyl Esters of Benzoic Acid

- (q) Benzyl Benzoate
- (r) Ethyl Benzoate

Applicants hereby elect, without traverse, to prosecute the species of Protein drawn to human growth hormone, and the species of Alkyl Esters of Benzoid Acid drawn to Benzyl Benzoate. Claims 1-14, 16-28, and 30-35 are readable upon the elected species.

Applicants consider claims 1-13, 16-27, 30-32, 34, and 35 to be generic, and note that upon allowance of a generic claim, claims 14, 15, 28, 29, and 33 depending therefrom in a non-elected species would also be allowable.

Applicants request an action on the merits of claims 1-35.

Please Note Information Disclosure Statement

Applicants wish to draw the Examiner's attention to the Information Disclosure Statement filed with the Office on May 25, 2005, and respectfully request that the documents or other information referenced therein be made of record in the present application and that an initialed copy of the PTO/SB/08 form be returned to the undersigned attorney evidencing same.

Should any of the documents, or portions thereof, be unavailable to the Examiner for any reason, please contact the undersigned attorney, who will supply same immediately by facsimile or other suitable method of delivery.

In view of the foregoing, it is respectfully requested that each of claims 1-35 be considered on the merits.

Respectfully submitted,



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